



U.S. Department of Justice

United States Attorney
Southern District of New York

June 16, 2021

By CM/ECF

Honorable Gabriel W. Gorenstein
United States Magistrate Judge
Thurgood Marshall
United States Courthouse
500 Pearl Street
New York, NY 10007

MEMORANDUM ENDORSEMENT

Re: *Desir v. Comm'r of Soc. Sec.*, 1:21-2181-GWG

Dear Judge Gorenstein:

This Office represents the Commissioner of Social Security (Commissioner) in the above-referenced action pursuant to 42 U.S.C. § 405(g), challenging a decision by the Commissioner to deny Plaintiff's application for benefits. The Commissioner is to file a certified administrative record (CAR) by June 17, 2021. The undersigned respectfully requests a 60-day extension of this deadline to August 16, 2021, to file the CAR.

This is the Commissioner's first request for an extension of the deadline to file this certified administrative record. The extension is necessary because teleworking and other temporary workplace changes since mid-March 2020 due to the COVID-19 pandemic continue to significantly impact the operations of the Social Security Administration's Office of Appellate Operations (OAO) and materially affect its ability to prepare certified administrative records, including obtaining transcriptions of hearing recordings from private contractors (vendors). Over the past year, OAO has redesigned its business process to allow for a mostly virtual CAR preparation process, and has worked and continues to work to expand and improve this process, particularly to accommodate the significant increase in new court case filings. After months of piloting new processes, updating vendor agreements, and making staffing changes, OAO continues to work towards increasing its productivity of the transcriptions of the hearing recordings by improving technology, persuading existing vendors to increase their transcription production when possible, working to add an additional vendor(s), and hiring and transferring additional staff to provide in-house transcription. OAO respectfully requests continued patience as it works to add transcription capacity, increase production of CARs, and address rising court case filings.

We have conferred with Plaintiff's counsel regarding this application, and counsel advised that he consents to this request.

Thank you for Your Honor's consideration.

Respectfully submitted,


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Extension to August 16, 2021, granted.

So Ordered.



GABRIEL W. CORENSTEIN
United States Magistrate Judge
June 16, 2021